

REMARKS:

In the outstanding Office Action, claims 1-30 were rejected. Claims 1, 5, 7, 9, 13, 17, 21-23 and 25-30 are amended and new claim 31 has been added, thus, claims 1-31 are pending and under consideration. No new matter has been added. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. §112¶2:

At item 2 of the Office Action, the Examiner rejected independent claims 1, 7, 9, 13 and 17 under §112¶2 and dependent claims 2-6, 8, 10-12, 14-16 and 18-20 for depending from rejected claims.

Independent claims 1, 7, 9, 13 and 17 are amended to comply with the requirements of §112¶2. Accordingly, withdrawal of the rejection under §112¶2 is respectfully requested.

REJECTION UNDER 35 U.S.C. §102(e):

In the outstanding Office Action, claims 26-30 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,893,098 ('098).

'098 discusses a communications system using which a survey author prepares a survey document by linking allowable answers to at least one question in the survey document such that a user is able to select from the linked allowable answers as a reply to the survey document.

The present invention is directed to an electronic news system and method having plural fixed form replies with reply contents independent of a message content of an electronic message to enable use of any selected fixed form reply from the plural fixed form replies as a reply to the electronic message.

The Examiner maintains the comparison of the '098 communications system that links allowable answers to survey questions with the present invention. According to the '098 method, a survey author prepares a survey questionnaire document including at least one question (see, column 2, lines 56-61 of '098), and *preferably*, preparing the survey document includes "specifying an allowable answer or a plurality of allowable answers to the at least one question ...so that remote users may specify at least one of the allowable answers" (see, column 6, lines 36-40 and column 15 lines 2-4 of '098). A database field value is specified for each allowable answer so that when answer documents from users are processed, the database field value is entered in the appropriate field to keep track of the different responses (see, column 6, lines 41-44, column 5, lines 38-42 of '098). This means allowable answers are

incorporated in the original survey document and a user is limited to choosing from the embedded allowable answers that are paired with a survey question.

The present invention enables use of plural fixed form replies with any electronic message for allowing a user to select any desired fixed form reply from the plural fixed form replies as a reply. As recited in amended independent claims 26, 28-30, the method includes storing "plural fixed form replies" having "reply contents independent of a message content" of an electronic message that are independently "reusable" (claim 29). Then, the electronic message is outputted or presented to an intended recipient with "the replies" that are stored so that the recipient selects "any response" (claim 30) or "one of the plural fixed form replies which fits the electronic message out of ... the replies" (claims 26 and 28). This enables use of the plural fixed form replies with any electronic message that the intended recipient deems "fits the electronic message out of the replies". The '098 communications system does not teach or suggest, "plural fixed form replies" that can be used with any electronic messages that a recipient user deems "fits the electronic message" because the '098 communications system limits responses to survey questionnaires to allowable answers predetermined by the survey author.

It is submitted that independent claims 26 and 28-30 are patentable over '098 because each and every element as set forth in the claims is not found to be either expressly or inherently described in a single '098 per the requirement of MPEP § 2131.

For at least the above-mentioned reasons, claims depending from independent claims 26 and 28-30 are patentably distinguishable over '098. The dependent claims are also independently patentable. For example, as recited in claim 27, the present invention includes "managing the plural fixed form replies by data respectively specifying the plural fixed form replies" and "totaling a number of the selections of each of the plural fixed form replies as the reply choices to the message". This is unlike the '098 communications system that specifies a database field value for each allowable answer in a matrix having the survey questions such that when a response is received, it is identified by the survey question it pertains to (see, column 5, lines 38-42 of '098).

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. §103(a):

In the outstanding Office Action, claims 21, 22, 24 and 25 were rejected under 35 U.S.C. §103(a) as being unpatentable over '098 and U.S. Patent No. 5,894,506 ('506), and claim 23 is

rejected as being unpatentable over '098 and '506, and in further view of U.S. Patent No. 5,982,891('891).

'506 discusses directed to a system that transmits reply codes assigned to a message instead of the message itself to reduce the amount of data being transmitted.

'891 discusses a system for secure transaction management and electronic protection right including information contents such as text of a novel, a picture, sound such as a musical performance or a reading, a movie or other video, computer software, or etc., (see, column 58, lines 55-65).

The Examiner acknowledges that the '098 communications system does not disclose that a message and reply data are store separately, thus relies on '506 as teaching the same. In '506, a first file of canned messages individually retrievable using unique message codes respectively assigned to the canned messages and a second file of canned messages corresponding to the first file is provided (see, column 1, lines 50-67 of '506).

The Examiner also acknowledges that the '098 communications system does not teach to select speech, sound and moving pictures as free form reply, thus relies on '891 as providing the same. In '891, a distributed virtual distribution environment that enforces a secure chain of handling and control of information content by controlling use of electronically stored or disseminated information (see, abstract and FIG.2 and corresponding text of '891).

The combination of the '098 and '506 systems results in a system using which a survey author prepares a survey document by linking allowable answers to at least one question in the survey document such that a user is able to select from the linked allowable answers as a reply to the survey document, where the system transmits reply codes assigned to a message instead of the message itself to reduce the amount of data being transmitted.

The combination of the '098, '506 and '891 systems results in a system using which a survey author prepares a survey document by linking allowable answers to at least one question in the survey document such that a user is able to select from the linked allowable answers as a reply to the survey document, where the system transmits reply codes assigned to a message instead of the message itself to reduce the amount of data being transmitted and enforces secure transaction management including information contents such sound, a movie or other video, computer software, etc..

As recited in independent claims 21 and 25, "plural fixed form replies" containing replies are stored for allowing a user "to retrieve" or "to choose" a reply from the stored "plural fixed

form replies” that the user deems “..fits the electronic message out of the plural fixed form replies”. This is unlike any of the cited combination of references that are directed to allowing users to select from preset responses ('098), transmitting reply codes assigned to a message instead of the message itself ('506), enforcing secure transaction management including information contents such sound, a movie or other video, computer software, etc.. ('891).

Further, for at least the above-mentioned reasons, claims depending from independent claims 21 and 25 are patentably distinguishable.

It is therefore requested that the Examiner withdraw the outstanding rejections.

NEW CLAIM:

New claim 31 has been added to highlight that the present invention provides a method for managing electronic messages including, “retrieving stored selectable fixed form replies upon receiving an electronic message”, where the selectable fixed form replies are “enabled to be used with other electronic messages including electronic messages unrelated to the received electronic message”. The received electronic message is displayed with the retrieved selectable fixed form replies to allow a user to select “a desired reply from the selectable fixed form replies... as a reply choice to the received electronic message”.

The '098 communications system does not teach or suggest “fixed form replies enabled to be used with other electronic messages including electronic messages unrelated to the received electronic message” to allow a user to select any “desired reply from the selectable fixed form replies” as a reply choice because a user using the '098 communications system is limited to only *allowable answers* specified or deemed allowable by a survey author preparing a survey document (see, column 6, lines, 36-39 of '098).

Accordingly, new claim 31 is patentably distinguishable from the '098 communications system.

CONCLUSION:

In accordance with the foregoing, claims 1, 5, 7, 9, 13, 17, 21-23 and 25-30 have been amended. New claim 31 has been added. Thus, claims 1-31 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is

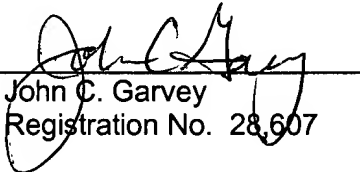
requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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